

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.4657 of 2020 (O&M)

Date of Decision: 20.08.2020

Dara Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Harpreet S. Rakhra, Advocate for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of bail pending trial to the petitioner in FIR No.412 dated 17.11.2019, under Sections 420, 489-A, 489-B, 489-C, 489-D of the Indian Penal Code, 1860, registered at Police Station Sadar Mansa.

As per prosecution case, accused in furtherance of common intention of each other have prepared and used the fake currency notes. On search, counterfeit currency notes of Rs.8500/- were recovered from the petitioner; Rs.2,25,000/- from co-accused Pritam Singh and Rs.25,000/- from Charanjeet Singh.

Contentends that petitioner is in custody since 17.11.2019 and after investigation in the matter, challan was presented on 15.01.2020. Also contentends that even the charges were framed on 17.01.2020, but till date, out of total 09 prosecution witnesses, none has been examined. Further contentends that there is no other criminal case pending against the petitioner.

Also the contention that co-accused, namely, Charanjeet Singh from whom there was alleged recovery of counterfeit currency notes worth Rs.25,000/- has also been granted bail pending trial by this Court, vide order dated 21.05.2020, passed in CRM-M-8265-2020, whereas recovery from the petitioner is alleged to be Rs.8500/-, thus, on parity, he is claiming to be released on bail pending trial.

The above factual position is duly acknowledged by learned State Counsel, on instructions from the police official concerned and he has fairly stated that case of the petitioner is squarely covered with the concession granted to co-accused Charanjeet Singh.

Heard learned Counsel for the parties and perused the paper-book.

Concededly, petitioner is in custody since 17.11.2019; charges were framed on 17.01.2020 and out of total 09 prosecution witnesses, none has been examined. Also to be noticed that there is no other criminal case pending against the petitioner. More particularly, the case of the petitioner is on better footing than co-accused Charanjeet Singh and in view of the prevailing circumstances, the trial is likely to take sufficient long time, therefore, his further incarceration would not serve any purpose.

Consequently, the present petition is allowed. Petitioner be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

Petitioner shall fully co-operate with the learned trial Court and shall not unnecessarily delay the proceedings in any manner.

The above observations may not be construed as an expression of opinion on the merits of the case.

It is clarified that in case there is any recurrence on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

August 20, 2020
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No